**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR**

**MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929**

**WP(C).No. 14725 of 2007(C)**

**PETITIONER:**

**A.DAMODHARAN,ERAVIL HOUSE,**
**PILACODE P.O.,VIA.THRIKARIPUR,**
**KASARAGOD DISTRICT,**
**NOW WORKING AS MECHANIC,**
**OFFICE OF THE ASST.DIRECTOR OF AGRICULTURE,**
**KASARAGODE.**

**BY ADV. SRI.B.GOPAKUMAR**
**SMT.CHINCY GOPAKUMAR**

**RESPONDENTS:**

1. **THE STATE OF KERALA,**
   **REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,**
   **GOVERNMENT SECRETARIAT,**
   **THIRUVANANTHAPURAM.**

2. **DIRECTOR OF AGRICULTURE,**
   **THIRUVANANTHAPURAM.**

3. **P.B.SANTHOSH,**
   **STORE IN CHARGE,**
   **OFFICE OF THE ASST.DIRECTOR, THRISSUR.**

4. **P.L.MAJU,MECHANIC,**
   **OFFICE OF THE ASST.DIRECTOR OF AGRICULTURE,**
   **KASARAGODE.**

**..2/-**

5. SAJU K.THANKAPPAN,MACHINIST,
OFFICE OF THE ASST.DIRECTOR OF AGRICULTURE,
KASARAGODE.

6. K.DINESAN,MECHANIC,
OFFICE OF THE ASST.DIRECTOR OF AGRICULTURE, KANNUR.

*ADDL.R7 IS IMPLEADED:

R7. DEPARTMENTAL PROMOTION COMMITTEE (LOWER),
REPRESENTED BY ITS CONVENOR,
DIRECTOR OF AGRICULTURE,
THIRUVANANTHAPURAM.

(*ADDL.R7 IS IMPLEADED AS PER ORDER DTD. 23/07/2007
IN I.A.NO.9882/2007)

BY ADV. SRI.V.A.MUHAMMED for R3
SRI.K.E.HAMZA
SRI.R.T.PRADEEP for R4
SRI.V.VIJULAL
SRI.KALEESWARAM RAJ for R6
SRI.ELVIN PETER P.J.
BY GOVERNMENT PLEADER SRI. P. NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**WPC.NO.14725/2007 C**

**APPENDIX**

**PETITIONER'S EXHIBITS:**

**EXT.P1: COPY OF CIRCULAR NO.S.B(3)35010/05 DTD.15/07/2005.**

**EXT.P2: COPY OF SENIORITY LIST DTD. 12/03/2007.**

**EXT.P3: COPY OF OBJECTION DTD. 26/03/2007 OF THE PETITIONER.**

**EXT.P4: COPY OF ORDER NO.SH(1)12251/06 DTD. 7/04/2007 OF THE 1ST RESPONDENT.**

**EXT.P5: COPY OF THE REPRESENTATION DTD. 29/05/07 BY PETITIONER TO RESPONDENT.**

**4TH RESPONDENT'S EXHIBITS:**

**EXT.R4(A): COPY OF THE APPOINTMENT ORDER DTD. 13/02/1998.**

**EXT.R4(B): COPY OF THE ORDER DTD. 21/06/2000.**

**EXT.R4(C): COPY OF THE ORDER DTD. 20/03/2006.**

**EXT.R4(D): COPY OF THE PROVISIONAL LIST AS ON 30/04/1999.**

**EXT.R4(E): COPY OF THE CIRCULAR DTD. 8/12/2005.**

**EXT.R4(F): COPY OF THE ORDER DTD. 2/05/2007 BY GOVT.**

**EXT.R4(G); COPY OF GAZETTE NOTIFICATION DTD. 2/05/2007.**

**/TRUE COPY/**

*KSS*

**K.BALAKRISHNAN NAIR,J.**

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WP(C)NO.14725 OF 2007-C

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Judgment

The petitioner is working as a Mechanic under the second respondent . He claims promotion to the post of Assistant Engineer. Superseding him, the promotion list to the said post has been prepared on 02.05.2007 and published in the Kerala gazette dated 04.05.2007. So, the petitioner has preferred Ext.P5 statutory representation against it before the Convenor of the DPC, who is the additional 7th respondent in this Writ Petition. The petitioner prays, the said respondent may be directed to consider and pass orders on Ext.P5.

2. I heard the learned Government Pleader appearing for the 1st respondent and also the learned counsel appearing for the other respondents. If Ext.P5 is received and pending, the additional 7th respondent will consider and pass orders on it in accordance with law within two months from the date of receipt of a copy of this Judgment.

The Writ Petition is disposed of as above.

23.07.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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